IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 54 of 1986

in

SPECIAL CIVIL APPLICATIONNo 5551 of 1984

with

LETTERS PATENT APPEAL No 55 of 1986

in

SPECIAL CIVIL APPLICATION NO.1049 OF 1984

AND

LETTERS PATENT APPEAL NO.114 OF 1987

IN

SPECIAL CIVIL APPLICATION NO.1049 OF 1984

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI
and
Hon'ble MR.JUSTICE K.M.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BHARAT PETROLEUM CORPORATION LTD

Versus

GUJARAT STATE CIVIL SUPPLIES CORPORATION

Appearance:

1. LETTERS PATENT APPEALS No. 54 & 55 of 1986

MR BR GUPTA for Appellants - Absent

MS SONAL SHAH FOR MR YN OZA for Respondent No. 1

RULE NOT RECD BACK for Respondent No. 2

SERVED BY RPAD - (R) for Respondent No. 3

2. LETTERS PATENT APPEAL No. 114 of 1987

Notice served on the appellant

MR KM PATEL for Respondent No. 1

MR GN SHAH for Respondent No.2 - Absent

Rule unserved for respondent No.3

CORAM : MR.JUSTICE R.K.ABICHANDANI

and

MR.JUSTICE K.M.MEHTA

Date of decision: 06/08/2003

ORAL JUDGEMENT

(Per : MR.JUSTICE R.K.ABICHANDANI)

1. All these three appeals have been directed against the judgement and order dated 18th December 1985 of the learned Single Judge passed in Special Civil Applications Nos. 1049 of 1984 and 5551 of 1984, by which the learned Single Judge, allowing the petition, directed the respondents to consider the applications of the petitioners for dealership in question on merits and decide the same in accordance with law.

2. Letters Patent Appeal No.116 of 1987 was filed against the same order dated 18th December 1985 of the learned Single Judge of Division Bench of this Court. By order dated 21st March 2000 made in the Letters Patent Appeal No.116 of 1987, the Court dismissed the appeal on the ground that it had become infructuous. It was stated before the Court that the appeal had become infructuous. The Court recorded the fact that the application of the respondent No.1 for LPG distributorship was considered on merits and disposed of in accordance with law.

3. There was no interim relief granted against the order of the learned Single Judge and the direction was only to consider the applications of the original petitioners on merits. It appears that, at this distant point of time, the question of considering the applications of the original petitioners could not have remained outstanding. The present appeals also appear to have become infructuous. All the appeals are therefore dismissed as having become infructuous. There shall be no order as to costs. Liberty to move in case of any difficulty.

[R.K.ABICHANDANI, J.]

[K.M.MEHTA, J.]

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